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TO THE UNITED STATES PATENT AND TRADEMARK OFFICE


(571) 273-8300

TO: EXAMINER: Chirag G. Shah  
TELEPHONE NUMBER: (571) 272-3144  
ART UNIT 2616  
SERIAL NO. 09/630,896

FROM: Aaron Waxler  
Registration No. 48,027

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
345 SCARBOROUGH ROAD  
BRIARCLIFF MANOR, NEW YORK 10510  
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I certify that this document (Petition to Withdraw Abandonment) consisting of 7 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on November 1, 2006.

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

TIMOTHY J. MOULSLEY

B034,390

Serial No. 09/630,896

Group Art Unit: 2616

Filed: August 2, 2000

Examiner: Chirag G. Shah

CODE ALLOCATION FOR COMMON PACKET CHANNEL

Commissioner for Patents  
Alexandria, VA 22313-1450

PETITION TO WITHDRAW ABANDONMENT UNDER MPEP SECTION 711.03(c)

Sir:

Applicant hereby petitions to withdraw the holding of abandonment as evidenced by the Notice of Abandonment dated October 16, 2006 (copy attached).

The holding of abandonment is in error for the following reasons.

An Advisory Action was received on September 7, 2005, Applicants filed an RCE in response to said Advisory Action on September 19, 2005 (copy attached). The RCE was received by the U.S. Patent Office on September 21, 2005, as evidenced by the attached copy of the return receipt postcard.

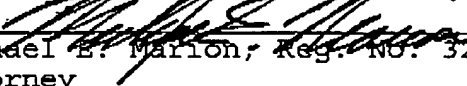
Since all acts required of Applicant have been carried

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out, the holding of abandonment was in error, and Applicant hereby petitions for its withdrawal.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By   
Michael E. Marion, Reg. No. 32,266  
Attorney  
(914) 333-9608

Enclosures: Copy of Abandonment  
Copy of RCE  
Copy of Postcard receipt



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,896	08/02/2000	Timothy J. Mousley	PHB 34, 390	09/630,896

24737 7590 10/16/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY

0510

SECY/ATTY  
AFTER SCANNING

EXAMINER	C5
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SHAH, CHIRAG S

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED	DATE	INITIAL
COMPUTER	PC OCT 19 2006	
SECRETARY		
ATTORNEY		

Needs Petition to Revoke!

P.C.

19-OCT-2006

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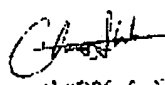
58

<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	09/630,896	MOULSLEY ET AL.	
	Examiner	Art Unit	
	Chirag G. Shah	2616	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 9/7/05.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_, and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

  
CHIRAG G. SHAH  
PRINCIPAL EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office  
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

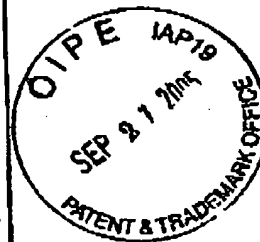
Part of Paper No. 20061012

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*REF*  
DOCKET NO. 334390 DIV. XXXX SER. NO. 09/630896

PLEASE DATE STAMP AND RETURN TO  
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

Application <i>REF</i> <input checked="" type="checkbox"/>	Amendment..... <input type="checkbox"/>
<u>    </u> Pages of	Issue Fee..... <input type="checkbox"/>
spec., claims & abs.	Notice of Appeal.... <input type="checkbox"/>
Con. Doc..... <input type="checkbox"/>	Extension..... <input type="checkbox"/>
Drawings                      Inf. <input type="checkbox"/>	Mailing Cert..... <input checked="" type="checkbox"/>
No. Sh..... For. <input type="checkbox"/>	Assignment..... <input type="checkbox"/>
Power of Att..... <input type="checkbox"/>	Decl. - signed ..... <input type="checkbox"/>
MLG. Date <u>9-19-05</u>	- unsigned ... <input type="checkbox"/>



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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  To Commissioner For Patents Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.	Application Number	09/630,986
	Filing Date	August 2, 2000
	First Named Inventor	Timothy J. Moulstey
	Group Art Unit	2664
	Examiner Name	Chirag G. Shah
	Attorney Docket Number	PHB34,390

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 19, 2005  
 (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Preliminary Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_ may not be a brief)

2. **Miscellaneous**


a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))

b. ☐ Other \_\_\_\_\_

3. **Fees**

a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print Type)	Aaron Waxler	Registration No. (Attorney/Agent)	48,027
Signature		Date	9/19/05

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office tel# _____ on the date below:			
Name (Print Type)	Patti DeMichele	Date	9-19-05
Signature		Date	9-19-05

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